

**Chair, Health and Social Care Committee**

National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

14 March 2013

Dear Chair,

The Equality and Human Rights Commission is pleased to respond to the Health and Social Care Committee's consultation on the Social Services and Well-being (Wales) Bill.

You will have noted the Bill's Equality Impact Assessment states that the proposals take forward the Welsh Government's equality objectives, which were set under the Public Sector Equality Duty Wales. The Welsh Government's equality objectives are based on the challenges identified in the EHRC's How Fair is Wales? report.

To assist you in your scrutiny of the Bill, please find enclosed a copy of How Fair is Wales? Particularly important in terms of the Social Services and Well-being (Wales) Bill is the legal and physical security challenge to reduce the incidence of domestic and sexual violence and reduce disability-related hate-crime (p.9).

The EHRC's recent Disability-related Harassment Inquiry highlighted issues regarding reporting, data-sharing, and a human rights-based approach to safeguarding that we felt could be usefully explored during the Bill's development.

The Communities, Equality and Local Government Committee conducted its own Inquiry to explore how best our disability-related harassment recommendations could be taken forward. This resulted in a recommendation that the Deputy Minister for Social Services meet with

3rd Floor  
3 Callaghan Square  
Cardiff CF10 5BT

3ydd Llawr  
3 Sgwâr Callaghan  
Caerdydd CF10 5BT

**Tel/Ffôn:** 029 2044 7710  
**Fax/Ffacs:** 029 2044 7712  
wales@equalityhumanrights.com

the Equalities Minister to discuss how human rights could be built into the Social Services and Well-being (Wales) Bill.

### **Our specific proposals**

A section of our DHI Report specifically focuses on issues around improving adult safeguarding (p.20). We would like to draw this to the attention of the Health and Social Care Committee ([as Part 7 of the Bill is focused on Safeguarding](#)). We advised the Welsh Government of our DHI report's recommendations during the Bill's consultation phase.

We note Part 3 10 (4) of the Bill states that 'in carrying out a needs assessment...the local authority must seek to identify the outcomes that the adult wishes to achieve in day-to-day life'. We hope to see this as an underpinning principle of any guidance resulting from the Bill to ensure that people's human rights are protected.

Yours sincerely,



**Kate Bennett**  
**EHRC National Director for Wales**

3rd Floor  
3 Callaghan Square  
Cardiff CF10 5BT

3ydd Llawr  
3 Sgwâr Callaghan  
Caerdydd CF10 5BT

**Tel/Ffôn:** 029 2044 7710  
**Fax/Ffacs:** 029 2044 7712  
wales@equalityhumanrights.com